

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
Plaintiff, )  
v. )  
SIDARTH CHAKRAVERTY et al., )  
Defendants. )  
No. 4:24CR489 HEA/SPM

**UNITED STATES MOTION TO DISMISS INDICTMENT**

COMES NOW the United States of America, by and through United States Attorney Thomas C. Albus and moves for the dismissal of the Indictment in the above-referenced case. In support of its motion, the government states as follows.

1. This prosecution alleges misconduct associated with the Defendants' participation with a disadvantaged business enterprise program ("DBE program") operated by the City of St. Louis.
2. The Department of Justice has determined that government programs that use race- and sex-based presumptions like the DBE program here are unconstitutional and thus the Department will no longer defend them against constitutional challenges. See Department of Justice Race and Sex-Based Presumptions 530D Letter (available at <https://www.justice.gov/oip/media/1404871/dl?inline>) (citing *Students for Fair Admissions, Inc. v. President & Fellows of Harvard College*, 600 U.S. 181 (2023)).
3. Additionally, the City of St. Louis itself has recently suspended awarding contracts with race- and sex-based goals pursuant to its DBE program due to these same constitutional concerns.

4. Defendants have agreed to make restitution of the taxes abated during 2021-2024 to the City of St. Louis.
5. Accordingly, it is prudent for the government to end this criminal prosecution and for the City of St. Louis and the Defendants' company to proceed outside this matter.
6. The Defendants concur in this motion. The Defendants further agree that the government has acted in compliance with all applicable laws and has no liability to them or any affiliated company as a result of this investigation or prosecution. The Defendants further agree that they are not "prevailing parties" for purposes of the Hyde Amendment. See P.L. 105-119, Section 617, 111 Stat. 2440, 2519; 18 U.S.C. 3006A note.

WHEREFORE, for the foregoing reasons, the government respectfully requests the Court grant its motion and dismiss the Indictment in this matter and enter judgment in favor of the defendants.

Respectfully submitted,

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United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify a copy of the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon all counsel of record.

/s/ Thomas C. Albus